

Massachusetts Department of Public Health  
Food Protection Program  
Center for Environmental Health

## License, Permit, and Inspection Requirements for Massachusetts Juice and Cider Processors

### DEFINITIONS:

#### Retail Processor

- An establishment that presses and bottles its own or purchased fruit and vegetables and sells the product directly to the consumer.

#### Wholesale Processor

- An establishment that presses and bottles its own or purchased fruit and vegetables and sells any of the finished product to someone other than the ultimate consumer.

### REGULATORY REQUIREMENTS:

#### Retail Processor

- The Food Protection Program (FPP) does not license retail processors. A retail processor must obtain a retail food establishment permit from the local board of health. To obtain a permit, the processing, storage and retail areas of a retail processor must be inspected and approved.
- A retail processor is exempt from the FDA's Juice HACCP regulation, but must comply with FDA's food labeling regulation in 21 CFR 101.17(g) that requires a warning statement on packaged juice or cider that has not been processed to achieve a 5-log reduction in the most resistant microorganism of public health significance.

#### Wholesale Processor

- A processor that produces, bottles and/or distributes juice and/or cider for **wholesale**, whether or not the processor has a retail food establishment permit, **must** obtain a **License to Process, Store, and Distribute Foods** from the Food Protection Program, as mandated by M.G.L. c. 94, § 305C. The annual fee is currently \$300.00. The FPP will conduct an initial licensure inspection and subsequent routine inspections.

- A processor who engages in both retail and wholesale business is required to obtain both a local board of health retail food establishment permit and a state license.
- Effective January 22, 2004, **ALL** interstate and intrastate juice and cider processors must evaluate their processing operations using HACCP principles.
- Effective January 22, 2004, **ALL** wholesale processors must treat their juice/cider to achieve the 5-log pathogen reduction. The label warning statement is no longer an alternative to compliance with the HACCP regulation.
- The Juice HACCP regulation does not preempt the existing requirement to follow the current state and federal Good Manufacturing Practice regulations.
- Employees involved in developing, or in certain aspects of implementing, a HACCP plan, must be trained in HACCP principles.
- The 5-log pathogen reduction must:
  - be accomplished for the microbe identified as the “pertinent microorganism,” which is most resistant microorganism of public health significance that is likely to occur in the juice/cider, e.g. *E. coli* O157:H7,
  - take place in one facility just prior to or after packaging, and
  - be applied directly to the juice, except citrus juices.
- Fruit surface treatments may be used to accomplish the 5-log reduction for citrus fruits, but cleaned and undamaged tree-picked fruit must be used and the effectiveness of the treatment must be verified by regularly testing the product for generic *E. coli*.